

Remarks

This is in response to the Office Action mailed on April 1, 2003. Claims 1-9 have been editorially amended and remain pending. Reconsideration and allowance are respectfully requested, in view of the following remarks.

In section 1 of the Office Action, claims 1-9 were objected to as containing a trademark/tradename. Claims 1, 4, and 7 have been amended to remove reference to the tradename TORX. In addition, the descriptor "hexalobular" has been added to the noted claims to further define the shape of the first recess, as shown in the example embodiment of Figure 3 of the application.

In view of these amendments, reconsideration of claims 1-9 is respectfully requested.

In section 3 of the Office Action, claims 4-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over West, U.S. Patent No. 2,800,829, in view of Seidl, U.S. Patent No. 5,171,117. This rejection is respectfully traversed.

Claim 4 is directed to a screw. Claim 4 recites, inter alia, that the screw includes a transition surface between first and second recesses, the transition surface extending at a first angle. Claim 4 further recites that the first angle is steeper than a second angle formed by a surface positioned between an engagement section and central point of the tool, so that a space is formed between the transition surface and the surface of the tool when the tool is inserted into the screw.

A screw configured as recited in claim 4 can be advantageous to enhance engagement between the screw and a tool configured to drive the screw.

Claim 4 includes limitations similar to those of claim 1 which the Examiner has found allowable. Neither West nor Seidl, alone or in combination, suggest such a configuration. Reconsideration and allowance of claim 4, as well as claims 5 and 6 that depend therefrom, are respectfully requested.

Claim 7 is directed to a tool. Similarly to claims 1 and 4, claim 7 recites, inter alia, that the tool comprises a surface between an engagement section and a central point which extends to the extending at a second angle. Claim 7 further recites that the second angle being less steep than a first angle formed by a transition surface formed between first and second recesses of the screw which extends to the second recess at a first angle, so that a space is formed between the transition surface and the surface when the tool is inserted into the slot.

Claim 7 should therefore be allowable for at least the same reasons as claims 1 and 4. Reconsideration and allowance of claim 7, as well as claims 8 and 9 that depend therefrom, are respectfully requested.

In section 4 of the Office Action, claims 1-3 were noted as being allowable if rewritten to overcome the objections noted in section 1 of the Office Action. Applicant appreciates the Examiner's assistance in identifying allowable subject matter. All claims should be in condition for allowance.

In view of the above amendments and remarks, claims 1-9 are in condition for allowance. Favorable reconsideration in the form of a Notice of Allowance is respectfully requested. The Examiner is encouraged to contact the undersigned attorney with any questions regarding the application.

Respectfully submitted,
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Date: September 25, 2003

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